

REMARKS

Claims 1, 13, 19, 20 and 22-31 are pending in this application. By this amendment, claims 18 and 21 are cancelled without prejudice or disclaimer and claim 1 is amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicants gratefully acknowledge the courtesies extended by Examiner Bernatz in the after final interview of November 17, 2005. As discussed in the interview, claim 18 has been cancelled and portions of claim 21 have been incorporated into claim 1. As such, entry of the amendment is respectfully requested.

1. 35 USC § 112

The Office Action rejects claim 18 under 35 U.S.C. §112, second paragraph. Applicants submit that claim 18 has been cancelled without prejudice or disclaimer, therefore the rejection is moot. Withdrawal of the rejection is respectfully requested.

2. 35 USC § 102

The Office Action rejects claims 1, 13, 18-20 and 28-31 under 35 U.S.C. §102(a), (b) and/or (e) as being anticipated by *Kikitsu et al.* (U.S. Patent Application No. 2001/0051287, hereinafter "*Kikitsu*"). Claim 18 has been cancelled without prejudice or disclaimer, therefore the rejection of claim 18 is moot. The rejection of the remaining claims is respectfully traversed.

As discussed in the interview, Applicants submit that *Kikitsu* fails to disclose or suggest the combination of features of claim 1, which include a perpendicular magnetic recording medium comprising at least a first and a second perpendicular magnetic recording layer comprising an alloy containing Co and Pt, and a substrate supporting the first and the second perpendicular magnetic recording layers, wherein the first and the second perpendicular magnetic recording layers have crystalline structures and the first perpendicular magnetic recording layer has smaller crystal grains and lower perpendicular magnetic anisotropic energy (Ku) than the second perpendicular magnetic recording layer, and wherein the first perpendicular magnetic recording layer contains 10% or more Pt, while the second perpendicular magnetic recording layer contains 10% or less Pt.

Rather, *Kikitsu* fails to disclose using magnetic layers meeting Applicants' claimed composition limitations, as noted in paragraph 13 of the Office Action mailed on February 2, 2005 and as discussed in the interview section below with respect to *Takahashi et al.* Therefore, *Kikitsu* does not anticipate the combination of features of claim 1.

For at least the reasons set forth above, Applicants respectfully submit that claim 1 is allowable. Claims 13, 19, 20 and 28-31 depend from claim 1, and are allowable for at least the same reasons. Withdrawal of the rejection is respectfully requested.

3. 35 USC § 103

A. Claims 1, 13, 18-20 and 22-31 Over *Kikitsu*

The Office Action rejects claims 1, 13, 18-20 and 22-30 under 35 U.S.C. §103(a) over *Kikitsu*. Claim 18 has been cancelled without prejudice or disclaimer, therefore the rejection of claim 18 is moot. The rejection of the remaining claims is respectfully traversed.

Applicants submit that for the reasons discussed above with respect to 35 U.S.C. §102 that *Kikitsu* fails to disclose or suggest all the features of claim 1. Therefore, Applicants submit that claim 1 is allowable, as well as claims 13, 19, 20 and 22-31, as these claims depend from claim 1. Withdrawal of the rejection is respectfully requested.

B. Claim 21 Over *Kikitsu* In Further View of *Takahashi et al.*

The Office Action rejects claim 21 under 35 U.S.C. §103(a) over *Kikitsu* in view of *Takahashi et al.* (U.S. Patent No. 6,709,768, hereinafter "*Takahashi*"). Claim 21 has been cancelled without prejudice or disclaimer, therefore the rejection is moot. Withdrawal of the rejection is respectfully requested.

4. Interview

As discussed in the interview, claim 1 recites a perpendicular magnetic recording medium comprising at least a first and a second perpendicular magnetic recording layer comprising an alloy containing Co and Pt, and a substrate supporting the first and the second perpendicular magnetic recording layers, wherein the first and the second perpendicular magnetic recording layers have crystalline structures

and the first perpendicular magnetic recording layer has smaller crystal grains and lower perpendicular magnetic anisotropic energy (Ku) than the second perpendicular magnetic recording layer, and wherein the first perpendicular magnetic recording layer contains 10% or more Pt, while the second perpendicular magnetic recording layer contains 10% or less Pt. However, as mentioned above, *Kikitsu* fails to disclose or suggest the combination of features of claim 1, for at least the reasons set forth above with respect to 35 U.S.C. §102. *Takahashi* in turn fails to cure the deficiencies of *Kikitsu*.

As also discussed in the interview, *Takahashi* discloses CoCrPt alloys, wherein platinum enhances the magnetic anisotropy of crystal grains, and additional elements (other than platinum) reduce the crystal particle diameter and lower magnetic coupling between adjacent particles. See *Takahashi* column 6, lines 20-31. As such, *Takahashi* teaches away from the first perpendicular magnetic recording layer having smaller crystal grains than the second perpendicular magnetic recording layer and the first perpendicular magnetic recording layer containing 10% or more Pt, while the second perpendicular magnetic recording layer contains 10% or less Pt.

Therefore, Applicants respectfully submit that claim 1 is allowable.

5. Conclusion

On the basis of the foregoing, Applicants respectfully submit that claims 1, 13, 19, 20 and 22-31 define patentable subject matter and should be passed to allowance. Allowance of this application is respectfully requested.

Furthermore, if the Examiner believes that a further discussion regarding this application would help advance prosecution, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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